

# **EXHIBIT A**

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

In re:

**B GSE GROUP, LLC,**

Debtor.

Chapter 11

Case No. 23-30013

**[PROPOSED] ORDER GRANTING CREDITOR  
JOHN BEAN TECHNOLOGIES CORPORATION’S MOTION FOR  
ENTRY OF ORDER FOR LIMITED RELIEF FROM THE AUTOMATIC  
STAY TO FINALIZE LITIGATION PENDING IN THE  
UNITED STATE DISTRICT COURT FOR THE DISTRICT OF UTAH**

This matter is before this Court on the *Motion for Entry of an Order for Limited Relief From the Automatic Stay to Finalize Litigation Pending in the United States District Court for the District of Utah* (the “Motion”) of John Bean Technologies Corporation (“JBT”), a creditor in this bankruptcy case, by and through its attorneys, for this Court to enter an Order granting them relief from the automatic stay provisions of 11 U.S.C. § 362(d) for cause to complete briefing on post-trial motions that were pending at the time of the bankruptcy filing and obtain rulings in the United States District Court for the District of Utah, Central Division captioned *John Bean Technologies Corporation v. B GSE Group, LLC and Bryan Bullerdick*, Case No. 1:17-cv-00142-RJS-DAO (the “Federal Court Lawsuit”). Having considered the Motion and for good cause shown, the Court finds as follows:

**FINDINGS OF FACT & CONCLUSIONS OF LAW**

1. The Court has jurisdiction over this matter and venue of this case and the Motion is proper in this Court.
2. This matter is a core proceeding.
3. The Debtor filed for bankruptcy protection under Chapter 11 of the United States Bankruptcy Code on January 6, 2023.
4. A subchapter V trustee was appointed for this case.
5. There are seven post-judgment motions pending in the Federal Court Lawsuit, six of which are fully briefed and under advisement with the Utah District Court and one of which is near-fully briefed. The seven motions are:
  - a. JBT's *Motion for Award of Attorneys' Fees and Nontaxable Expenses* filed on November 15, 2022. Federal Court Lawsuit, Dkt. No. 278. The District Court Defendants filed their response on December 13, 2022. Federal Court Lawsuit, Dkt. No. 299. JBT filed its reply on December 28, 2022 and the motion is now fully briefed and under consideration. Federal Court Lawsuit, Dkt. No. 305.
  - b. JBT's *Bill of Costs* filed on November 15. Federal Court Lawsuit, Dkt. No. 276. The District Court Defendants filed their objections on December 13, 2022 and the motion is now fully briefed and under consideration. Federal Court Lawsuit, Dkt. No. 298.
  - c. JBT's *Motion to Alter Judgment and Memorandum in Support to Enhance Damages Award* was filed on November 29, 2022. Federal Court Lawsuit, Dkt. No. 285. The District Court Defendants filed their response on December 27, 2022. Federal Court Lawsuit, Dkt. No. 300. JBT filed its reply on January 10,

2023 and the motion is now fully briefed and under consideration. Federal Court Lawsuit, Dkt. No. 312.

- d. Defendants' *Motion for Judgment as a Matter of Law and Memorandum in Support Pursuant to Rule 50(b) and, in the alternative, for a New Trial or to Alter or Amend the Judgment Pursuant to Rule 59* filed on November 29, 2022. Federal Court Lawsuit, Dkt. No. 284. JBT filed its response on December 27, 2022. Federal Court Lawsuit, Dkt. No. 303. Bullerdick filed his reply on January 10, 2023, and the motion is now fully briefed and under consideration. Federal Court Lawsuit, Dkt. No. 311.
- e. JBT's *Motion for Pre-judgment and Post-judgment Interest* was filed on November 29, 2022. Federal Court Lawsuit, Dkt. No. 286. The District Court Defendants filed their response on December 27, 2022. Federal Court Lawsuit, Dkt. No. 301. JBT filed its reply on January 10, 2023, and the motion is fully briefed and under consideration. Federal Court Lawsuit, Dkt. No. 313.
- f. The District Court Defendants' *Motion to Dispense with Supersedeas Bond and Stay Execution or Reduce Bond* was filed on December 1, 2022. Federal Court Lawsuit, Dkt. No. 290. JBT filed its response on December 29, 2022. Federal Court Lawsuit, Dkt. No. 306. Bullerdick filed his reply<sup>1</sup> on January 12, 2023 and the motion is fully briefed and under consideration. Federal Court Lawsuit, Dkt. No. 314.
- g. JBT's *Motion for Leave to Register Judgment in Other Districts* filed on December 6, 2022. Federal Court Lawsuit, Dkt. No. 295. The District Court Defendants filed

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<sup>1</sup> Upon entry of this order, the Debtor may adopt this reply as its own.

their response on January 3, 2023. Federal Court Lawsuit, Dkt. No. 307. JBT's reply is due January 17, 2023, after which the motion will be fully briefed and under consideration.

**THEREFORE, IT IS ORDERED, ADJUDGED and DECREED that:**

1. The Motion is granted; and
2. The automatic stay provided by Section 362 of the Bankruptcy Code be, and the same hereby is, lifted on a limited basis to allow the parties to the Federal Court Lawsuit to complete all briefing and allow for the issuing of rulings in the pending post-trial motions listed above;
3. JBT expressly acknowledges that this order does NOT grant relief to permit the creation of a lien on any property of the Debtor and if docketed in advance of a further order of this Court so authorizing, that the docketing of a judgment is void *ab initio* against the Debtor;
4. Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is waived.
5. This Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation, enforcement, or interpretation of this Order.

This Order has been signed electronically.  
The Judge's signature and court's seal appear  
at the top of the Order.

United States Bankruptcy Court